

1 of 4

James Dean Kendrick #19301055
USA Allenwood
P.O. Box 3000
White Deer, PA 17887
Date: November 24, 2022

Honorable Mark Pedersen
United States Magistrate Judge
U.S. Courthouse
100 State Street
Rochester, N.Y. 14614

Re: Kendrick v. Troche, et al., Case No. 18-cv-6932.

Judge Pedersen,

After the phone conference, held on November 2022, I went back through relevant records that I have and I have enclosed with this letter the following documents:

1.) A copy of a letter that I received, from Judge Renzi, in response to my request for Search Warrants and Affidavits for the Search Warrants, that were issued and executed in relation to the investigation of the Jose Troche homicide, in which, my requests are denied.

2.) A copy of my Motion To Compel Discovery, which contains written notes that I believe were made, by the Court, some of which

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list action that will be taken.

3.) A copy of a letter, to Your Honor, from Mr. Noone, in which, Mr. Noone informs the Court that Capt. Umbrino, of the RPD, advised him that everything was turned over to "the Feds." Mr. Noone further informs the Court that AUSA Rodriguez advised him that whatever was received was provided to Mr. Kendrick's criminal defense attorney. However, AUSA Rodriguez' statement is false. In fact, an RPD Investigative Report of Investigator Randall Benjamin, that Mr. Noone included with a filing, on behalf of the defendants, in this case, was never provided to the defense in my criminal case. A page of said Report is mentioned below, and is included with this letter.

4.) A copy of an investigation report, in which, the reporting Sgt. states that he/she completed a tow request for my car. Said Report is Date stamped 000412 and was part of the discovery in my case.

5.) A copy of pg. 3 of 6 of a Rochester Police Department Investigative Action Report, of Randall Benjamin, in which, Randall Benjamin states that prior to interviewing James Kendrick it was determined that a search

warrant would be executed at 341
Sharon Drive. . . . Investigator
Cassidy and Investigator Lucci
assisted with the search warrant.
Notably, said Report was never
provided to my defense attorney.

6.) A copy of a Greece Police Department
addendum report, of officer Bachman,
in which, the reporting officer states
that he/she secured 341 Sharon Drive
pending search warrant execution. . . .
A search warrant was then conducted.

7.) A copy of the Certified Copy of
the Grand Jury's-Finding of Dismissal,
in relation to the State Murder charge
that was pending against me.

After going over my notes, from the last
phone conference, I realized that I had also
requested the radio transmissions of the Defendants,
for the date and time of the Jose Troche homicide.
Specifically, but not limited to, all radio transmissions,
to and from the Defendants, upon arrival on the
crime scene and continuing thereafter. I am herein
requesting that said radio transmissions be included
in Your Honors Order.

Additionally, there were search warrants
issued for my home (189-A Kingsberry Drive, Rochester,

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New York 14626) and my cell-phone. While no evidence was located, pursuant to said search warrants, the Search Warrants and the Affidavit(s) for said Search Warrants may contain relevant information. Therefore, I am herein requesting that Your Honor's Order include said Search Warrants and Affidavit(s).

Respectfully submitted,

James Dean Kendrick

cc Files

cc: Mr. Noone

06/10/2020

*Supreme Court Chambers
545 Hall of Justice
Rochester, New York 14614-2184
Hon. Alex R. Renzi, JSC*

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Mr. James Dean Kendrick
Inmate - 19301055
USP Allenwood, U.S. Penitentiary
P.O. Box 3000
White Deer, PA 17887

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06/10/2020



Supreme Court Chambers
Hall of Justice
Rochester, New York 14614-2184
Phone 585.371.3673
Fax 585.784.4216

COPY

Hon. Alex R. Renzi
Supreme Court Justice

June 8, 2020

Thomas J. Brilbeck
Principle Law Clerk

Mr. James Dean Kendrick
Inmate - 19301055
USP Allenwood, U.S. Penitentiary
P.O. Box 3000
White Deer, PA 17887

RE: Request for Documents

Dear Mr. Kendrick:

The Court is in receipt of your letter dated April 26, 2020 seeking production of search warrants and supporting documents pertaining to a 2010 homicide investigation.

Insofar as it appears this matter is sealed, there is no provision of New York law that would compel this Court to disseminate these materials.

Accordingly, your application is denied in all respects.

So Ordered.

Dated: June 8, 2020
Rochester, New York

HON. ALEX R. RENZI
Justice of the Supreme Court

01/31/2022

Some demands have not
been previously served

UNITED STATES DISTRICT COURT FOR
THE WESTERN DISTRICT OF NEW YORK

JAMES DEAN KENDRICK,
Plaintiff,

v.

TROCHE et al,
Defendant(s).

Case No.: 18-cv-06932-CJS
MOTION TO COMPEL DISCOVERY

I, James Dean Kendrick, declare and state under penalty of perjury that I am the Plaintiff in the above-captioned proceeding, that I am proceeding Pro Se, and I am filing this Motion to request that this Court issue an Order compelling discovery of the following: -Body cam. footage?

1. All materials, whether written, typed, video recorded, audio recorded, or in any other form that Defendant Vaughn considers to have exculpatory value as to him, in relation to this case; *Rele 2 b disclosure provided*
2. All material, whether written, typed, video recorded, audio recorded, or in any other form that Defendant Lafave considers to have exculpatory value as to him, in relation to this case; *Greece P.D. reports*
3. All log entries logged which list the people that were allowed entry into the inner-perimeter of the crime-scene, at 510 Augustine Street, on January 14, 2010, in relation to the Jose Troche homicide; *None will seek info. if it exists R.P.D.*
4. All log entries logged which list the people that were allowed entry into the outer-perimeter of the crime-scene, at 510 Augustine Street, on January 14, 2010, in relation to the Jose Troche homicide; *None will seek info. if it exists*
5. All defenses that Defendant Vaughn intends to pursue as a Defense at trial;
6. All defenses that Defendant Lafave intends to pursue as a Defense at trial;
7. The name and qualifications of all expert witnesses that Defendant Vaughn intends to call as a witness, for his defense, at trial; *None*.
8. The name and qualifications of all expert witnesses that Defendant Lafave intends to call as a witness, for his defense, at trial; *None*.
9. All materials, in any form, which shows that Defendant Vaughn has failed to follow proper procedures, of the Rochester Police Department, in all other cases that he has been involved with;

disciplinary - None will exist

01/31/2022

10. All materials, in any form, which shows that Defendant Lafave has failed to follow proper procedures, of the Rochester Police Department, in all other cases that he has been involved with; *These will be checked*
11. All materials, in any form, which shows that Defendant Vaughn has fabricated evidence in prior cases that he has been involved with;
12. All materials, in any form, which shows that Defendant Lafave has fabricated evidence in prior cases that he has been involved with;
13. All materials, in any form, which shows that Defendant Vaughn has failed to follow proper protocols, of the Rochester Police Department, in prior cases that he has been involved with;
14. All materials, in any form, which shows that Defendant Lafave has failed to follow proper protocols, of the Rochester Police Department, in prior cases that he has been involved with;
15. All materials, in any form, which show that Defendant Vaughn has failed to follow proper policies, of the Rochester Police Department, in prior cases that he has been involved with;
16. All materials, in any form, which show that Defendant Lafave has failed to follow proper policies, of the Rochester Police Department, in prior cases that he has been involved with;
17. If the Defendants, Vaughn and Lafave, are not in the possession of any of the materials that are within the scope of materials, herein requested in paragraphs 1-16, both Defendants Vaughn and Lafave are Ordered to identify the agency (agencies) as well as all custodians that are in possession of the requested materials;
18. And for any other and further order of discovery that this Court deems just and proper.

Dated: December 10, 2021

Sign: James Dean Kendrick
Print: James Dean Kendrick
Inmate #19301055
USP Allenwood
P.O. Box 3000
Whited Deer, PA 17887

02/14/2022



City of Rochester

Department of Law
City Hall Room 400A, 30 Church Street
Rochester, New York 14614-1295
www.cityofrochester.gov

Christopher S. Noone
Municipal Attorney

February 8, 2022

Hon. Mark Pedersen
United States Magistrate Judge
100 State Street
Rochester, NY 14614

Re: Kendrick v LaFave & Vaughn
Civil Action No.: 18-cv-6932

Dear Judge Pedersen:

I am writing in follow-up to the telephonic pretrial conference held on February 2 regarding the above matter. Mr. Kendrick made some discovery requests—specifically, for arrest and search warrants and for the applications for them, logs regarding persons permitted into the outer and inner perimeter setup at the scene of the Jose Troche murder, and whether there is body worn camera footage of any of the events there. I spoke with Capt. Umbrino of the RPD Major Crimes Unit on February 3 and he advises that all that RPD had was turned over to “the Feds” relative to Mr. Kendrick’s criminal matter. I then contacted AUSA Rodriguez, who advised me that whatever was received was provided to Mr. Kendrick’s criminal defense attorney. He advised that he has nothing either. If this proves accurate, then I would respectfully request that if Mr. Kendrick is able to access the aforesaid material through his defense attorney, I be provided with copies.

Thank you for your courtesies and your kind consideration of this matter, as well as my above request.

Very truly yours,

Christopher S. Noone
Municipal Attorney

CSN/mb
cc: James Dean Kendrick
DIN: 19301055
Allenwood U.S. Penitentiary
P.O. Box 3000
White Deer, PA 17887



VICTIM'S NAME (LAST, FIRST, MIDDLE) OR FIRM NAME IF BUSINESS 10/08/2020che, Jose		2. LOCATION OF OFFENSE (HOUSE NO.-STREET NAME) 510 Augustine ST	DIV/PSA S. 44 CR
M 91	D 14	5. OFFENSE / CHARGE / INCIDENT (MOST RECENT CLASSIFICATION) 10/0553 Murder 2nd	10-013555
6. CLASSIFICATION AFTER INVESTIGATION (INCLUDE LAW SECTION NUMBER)			

INVESTIGATIVE: DO NOT REPEAT THE RESULTS OF THE PRELIMINARY INVESTIGATION. REPORT ALL ACTIONS TAKEN AND ALL DEVELOPMENTS IN THE CASE SINCE THE LAST REPORT. DESCRIBE AND RECORD THE VALUE OF RECOVERED PROPERTY. LIST THE NAME, RECORD NUMBER AND DESCRIPTION OF PERSONS ARRESTED. EXPLAIN CLASSIFICATION CHANGE. CLEARLY SHOW THE DISPOSITION OF RECOVERED PROPERTY.

BLOCK NO.

2. SGT. ASSISTED AT 341 SHARON DRIVE AS PART OF THIS HOMICIDE INVESTIGATION. AS A RESULT, I COMPLETED A TOW REQUEST FOR MY EJB8661. 452 ARRIVED WITH A FLATBED TRUCK, WHICH I FOLLOWED TO THE PSB. THERE I MET WITH TECH 116E WHO SEARCHED THE VEHICLE IN THE PSB BASEMENT GARAGE.

8. YEAR 93	9. MAKE SAVANA	10. TYPE 40	11. MODEL	12. COLOR(S) Green	13. V.I.N. 1G8ZH5592PZ287183
14. REGISTRATION # EJB 8661	15. STATE NY	16. BY: Tow	17. RECOVERY FOR: HPD	18. LOCATION RECOVERED 341 SHARON DRIVE	TO: 011310 2050
19. EVIDENCE OF DAMAGE / METHOD OF THEFT					DATE TIME 011310 2050
20. TIME RADIO NOTIFIED OF RECOVERY					

21. RECOVERED BY <input checked="" type="checkbox"/> RPD	22. OWNER NOTIFIED BY: _____
<input type="checkbox"/> Other _____	

23. CONTINUANCE OF CHANGED TO CLOSED BY	INVESTIGATIVE STATUS
---	----------------------

<input type="checkbox"/> FIELD	<input type="checkbox"/> CBI-OFFICE
<input checked="" type="checkbox"/> FIELD	<input type="checkbox"/> CBI-OFFICE
<input type="checkbox"/> ARREST-ADULT	<input type="checkbox"/> ARREST-JUV
<input type="checkbox"/> PROS DECLINED	<input type="checkbox"/> DEATH OF OFFENDER
<input type="checkbox"/> VICT. REFUSED COOP	<input type="checkbox"/> JUV NO COURT/DIVERSION
<input type="checkbox"/> EXTRADITION DENIED	<input type="checkbox"/> UNFOUNDED
<input type="checkbox"/> WARRANT ADVISE	

24. FURTHER INVESTIGATION TO BE CONDUCTED BY:	25. V. RELATIONSHIP TO SUSPECT	26. PERSON(S) ARRESTED	27. SRR FILED	28. BIAS INCIDENT
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PROPERTY RECOVERED <input type="checkbox"/> YES S	30. PROPERTY INVENTORY <input type="checkbox"/> NO <input type="checkbox"/> YES NO.	31. MULTIPLE CLEARUP? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	32. XC TO:
--	--	--	------------

WORKING CR # 167014d9	33. TELETYPE <input type="checkbox"/> SENT <input type="checkbox"/> CANCELLED	34. PROPERTY <input type="checkbox"/> SUSPECT	35. ADDITIONAL TECHWORK <input type="checkbox"/> COMPOSITE <input type="checkbox"/> FINGERPRINT <input type="checkbox"/> SKETCH / DIAGRAM <input type="checkbox"/> OTHER
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36. DATE SUBMITTED 011310	37. REPORTING OFFICER Sgt. F	38. SUPERVISOR APPROVING Sgt. F 134/5000412
------------------------------	---------------------------------	--

added his mother baby sat for two of Kendrick's kid's.

RI's (Benjamin/O'Brien) went to Strong Memorial Hospital and learned the Medical Examiner's Office had taken the victim's remains. At approximately 1015 hours RI's (Benjamin/O'Brien) responded to the Medical Examiner's Office. RI's learned from Medical Examiner Caroline Dignan that Jose Troche was shot twice in the abdomen and chest. There were no bullets or projectiles collected from his remains.

At approximately 1230 hours RI's (Benjamin/O'Brien) met Maria Troche at the Public Safety Building. Maria Troche stated the following: she and Jose have been married for approximately 10 years. They have four children, Deniliz 12, Shakira 6, Christine 5 and Joselyn 6 mos. Maria added that she is 4 months pregnant. Maria further added that she was sleeping when Jose got up to go to work. She said Jose gets up every morning at the same time. Jose drives a School bus and he works out of the Hudson Avenue location. Jose walked out of the basement door which is on the west side of their house. A few seconds later she heard a "boom" and then Jose screaming, after that she heard two more sounds that sounded like the first one. Maria looked out her second story window and saw a black car driving off and turn left on Dove Street. Maria then ran downstairs and looked out the dining room window and saw Jose lying in the driveway near their van. She then ran outside and started screaming and asked a neighbor to call 911. An unidentified boy going to school stopped and helped. Maria didn't know who the boy was. When the Police arrived Maria went inside her house. The Police were outside checking on Jose while she was inside. An Officer came inside and asked Maria if she knew who did this to Jose and Maria told the Police she thought J.D. did it. The Officer asked who was J.D. and Maria told the Officer J.D. was James Kendrick. The Officer then told her that Jose told him James Kendrick was the one who shot him. Maria was deposed about her account of the incident. Maria also identified James Kendrick in a photo array.

At approximately 1645 hours RI's (Benjamin/O'Brien) were advised James Kendrick was in custody. Kendrick was observed coming from 341 Sharon Drive (Greece). Kendrick was located driving a Pontiac Vibe reg# CTS3789 at West Ridge Road and Fetzner Rd. He was stopped by the Greece Police and taken into custody. Kendrick was transported to the Public Safety Building and placed in interview room #450. A check at 341 Sharon Drive found occupants Kevin Kendrick 02/06/1975, Tanya Gould 07/23/1973 and Gould's 16 year old daughter Jessica Rogers. They were transported to the Public Safety building fourth floor. Kendrick was brought to the Public Safety Building fourth floor and placed in interview room 450.

Prior to interviewing James Kendrick it was determined that a search warrant would be executed at 341 Sharon Drive. Upon entering the house Officers observed in plain view a Marijuana grow operation. Investigator Cassidy and Investigator Lucci assisted with the search warrant, refer to their Investigative Action report for further details.

At approximately 1730 hours RI's (Benjamin/O'Brien) entered room 450 and introductions were made with James Kendrick. Kendrick confirmed his identity and said he resides at 184 Kingsboro Drive in the town of Greece with his two sons who are 10 and 11 years old respectfully. He said the mother is Laura Santiago and she lives in Canandaigua. He works construction and is in the Labor Union but he is unemployed at the moment. Kendrick said he attended East Ridge high school and finished the 10th grade and then dropped out. He did obtain his G.E.D. RI advised Kendrick before we started talking about why he was at the Public Safety Building I was going to read him his rights. After reading Kendrick his Miranda Warning's he requested an attorney. Kendrick said his attorney was John Parinello.

At approximately 2110 RI's (Benjamin/O'Brien) met with Tanya Gould 07/22/1973, 341 Sharon Drive (585-465-1548). Gould said she lives at the location with her boyfriend Kevin Kendrick and daughter Jessica Rogers. Gould stated the following: she woke up at approximately 6:00 am and observed a green Saturn in the driveway. Gould said she didn't recognize the vehicle

NARRATIVE

Reporting Officer		IBM #	Date	Reviewed By
BENJAMIN	RANDALL	0030	05/27/2016	CORlfz1543 ZENELOVIC, FLAMUR 5/27/2016 13:00

Greece Police department addendum report

PAGE 2 OF 2

ADPENDUM					
A CONTINUATION OF A REPORT					
3. VICTIM'S NAME (LAST, FIRST, MIDDLE) OR FIRM NAME IF BUSINESS 4. ADDRESS OF INCIDENT 5. DATE OF INCIDENT					
FETZNER RD/WEST RIDGE 7 01/14/10					
10003134 Incident					
R/O ASSISTED THE ROCHESTER POLICE DEPARTMENT WITH A HOMICIDE INVESTIGATION AND SUBSEQUENT ARREST OF JAMES A. KENDRICK (06-03-74, 184 KINGSBURY, GREECE). RPD SERGEANT LEE CONTACTED R/O VIA RADIO AND ADVISED KENDRICK WAS DRIVING A PONTIAC VIBE, NY PLATE CTS3789, SOUTHBOUND ON FETZNER AT WEST RIDGE ROAD. R/O CONDUCTED A FELONY STOP OF SAID VEHICLE WITH ASSISTANCE FROM SEVERAL GREECE AND RPD UNITS. AT WHICH TIME R/O PLACED KENDRICK IN CUSTODY FOR CITY OF ROCHESTER INCIDENT AND WAS TURNED OVER TO RPD. R/O THEN SECURED 341 SHARON DRIVE PENDING SEARCH WARRANT EXECUTION. R/O ASSISTED BY SEVERAL RPD OFFICERS, CONDUCTED A HEAD COUNT OF OCCUPANTS INSIDE THE LOCATION FOR OFFICER SAFETY REASONS. AT WHICH TIME, R/O, ALONG WITH RPD OFFICERS FOUND APPROXIMATELY FORTY MARIJUANA PLANTS GROWING INSIDE A BASEMENT HOME MADE CLOSET. A SEARCH WARRANT WAS THEN CONDUCTED, AND THE MARIJUANA PLANTS WERE SEIZED BY GRANET.					
Officer M. Bachman <i>MS</i>					
REFUGING OFFICERS)					

FINDING OF DISMISSAL

THE PEOPLE OF THE STATE OF NEW YORK

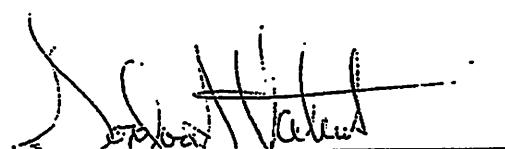
-vs-

JAMES D. KENDRICK

On December 20, 2016, the Grand Jury heard the case of the People of the State of New York versus JAMES D. KENDRICK, originally charged with the crime of Murder in the Second Degree on January 14, 2010, and after hearing evidence it was the determination of the Grand Jury that the evidence before the Grand Jury was not legally sufficient to establish that such person committed such crime or any other offense or that there was not reasonable cause to believe that the defendant committed such crime or any other offense.

The Grand Jury, therefore, presents for filing with the Court, pursuant to the Criminal Procedure Law, Section 190.75, their finding of dismissal.

December 22, 2016


GRAND JURY FOREMAN

RECEIVED
DEC 22 PM 4:45
MAYOR'S OFFICE / BUREAU OF
THE STATE OF NEW YORK

STATE OF NEW YORK (COUNTY OF MONROE) SS	
I, <u>Jenice Romeo</u> , CLERK OF THE COUNTY OF MONROE OF THE COUNTY COURT OF SAID COUNTY AND OF THE SUPREME COURT BOTH BEING COURTS OF RECORD HAVING A COMMON SEAL.	
DO HEREBY CERTIFY THAT I HAVE COMPARED THIS COPY WITH THE ORIGINAL FILED OR RECORDED IN THIS OFFICE AND THAT THE SAME IS A CORRECT TRANSCRIPT THEREOF AND OF THE WHOLE OF SAID ORIGINAL.	
IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND AND AFFIXED THE SEAL OF THE SAID COUNTY AND COURTS ON	
_____ <u>Jenice Romeo</u> DATE <u>3/13/20</u>	
FACSIMILE SIGNATURE USED PURSUANT TO SEC 903 OF COUNTY LAW.	

James Dean Hinde, III
USP Allenwood
P.O. Box 3000
White Deer, PA 17887

NOV 28 2022

Honorable Magistrate

19301-055 U.S. Magistrate
Us Courthouse
100 State ST
Rochester, NY 14614
United States

Mailed From US Penitentiary

Legal Mail



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ark Pedersen
istrate Judge

itentiary



Legal Mail